

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Linda L. Mooney and Lieselotte
W. Thorpe, on behalf of
themselves and all others
similarly situated,

Plaintiffs,

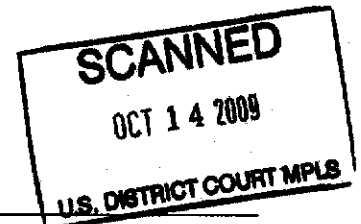
vs.

SPECIAL VERDICT

Civil No. 06-545 ADM/FLN

Allianz Life Insurance Company
of North America,

Defendant.



We, the jury in the above-titled matter, find the following answers to the following questions submitted to us by the Court:

QUESTION NO. 1:

Did Allianz use a misrepresentation or deceptive practice in the course of selling its two-tiered annuities?

☒ Yes

☐ No

If your answer to Question No. 1 is "Yes," continue to Question No. 2. If your answer to Question No. 1 is "No," please sign and date the Special Verdict Form, your verdict is complete.

QUESTION NO. 2:

Did Allianz intend that others would rely on the misrepresentation or deceptive practice?

☒ Yes

☐ No

If your answer to Question No. 2 is "Yes," continue to Question No. 3. If your answer to Question No. 2 is "No," please sign and date the Special Verdict Form, your verdict is complete.

QUESTION NO. 3:

Were the following groups of Plaintiffs harmed as a direct result of the misrepresentation or deceptive practice?

3A. Plaintiffs who have annuitized? _____ Yes ☒ No

3B. Plaintiffs whose annuities are in deferral? _____ Yes ☒ No

3C. Plaintiffs who have surrendered their annuities? _____ Yes ☒ No

If your answer to Question No. 3 is "Yes" as to any of the three groups of Plaintiffs, continue to Question No. 4. If your answer to Question No. 3 is "No" as to all three groups of Plaintiffs, please sign and date the Special Verdict Form, your verdict is complete.

QUESTION NO. 4:

What degree of fault is associated with Allianz's misrepresentation or deceptive practice?

_____ Intentional _____ Negligent

If your answer to Question No. 4 is "Negligent," continue to Question No. 5. If you answer to Question No. 4 is "Intentional," skip Question Nos. 5, 6, and 7 and continue to Question No. 8.

QUESTION NO. 5:

Were Plaintiffs negligent in relying on the misrepresentation or deceptive practice?

_____ Yes _____ No

If your answer to Question No. 5 is "Yes," continue to Question No. 6. If your answer to Question No. 5 is "No," skip Question Nos. 6 and 7 and continue to Question No. 8.

QUESTION NO. 6:

Was Plaintiffs' negligence a direct cause of Plaintiffs' damages?

_____ Yes _____ No

If your answer to Question No. 6 is "Yes," continue to Question No. 7. If your answer to Question No. 6 is "No," skip Question No. 7 and proceed to Question No. 8.

QUESTION NO. 7:

Taking all of the fault that contributed as a direct cause of Plaintiffs' damages to be 100%, what percentage do you attribute to:

Allianz _____ %

Plaintiffs _____ %

Regardless of how you answered Question No. 7, you must answer Question No. 8.

QUESTION NO. 8:

What amount of money will fairly and adequately compensate the following groups of Plaintiffs for the damages caused by the misrepresentation or deceptive practice:

Answer Question No. 8A only if you answered "Yes" to Question No. 3A.

8A. Plaintiffs who have annuitized? \$ _____

Answer Question No. 8B only if you answered "Yes" to Question No. 3B.

8B. Plaintiffs whose annuities are in deferral? \$ _____

Answer Question No. 8C only if you answered "Yes" to Question No. 3C.

8C. Plaintiffs who have surrendered their annuities? \$ _____